

3.c. Personnel Evaluations:

In a career system, a regular procedure for obtaining personnel evaluations constitutes one of the principal bases for such personnel actions as promotion, in-grade pay advancement, and separations. Personnel evaluations are indispensable to any systematic program of career planning and development of individual officers and employees.

CIA is included under the Performance Rating Act of 1959 (P.L. 87), 81st Congress) which requires Federal agencies--except those specifically exempted--to establish performance rating programs for evaluating the work performance of employees. The Act provides that "no officer or employee of any department shall be given a performance rating, regardless of the name given to such rating, and no such rating shall be used as a basis for any action, except under a performance rating plan approved by the Civil Service Commission as conforming with the requirements of this Act."

In the past, the General Counsel, the Deputy Director (Administration), and the Career Service Committee have all agreed that the provisions of the Act could not be harmonized with the security requirements of CIA. The main issue involved is the mandate given the Civil Service Commission to inspect Agency administration of whatever plan of evaluation is adopted. The Commission construes that as requiring it to make internal audits within agencies covered by the Act. Although the Commission has never made such an investigation, there is a constant possibility that it may do so at a future date, as long as CIA remains covered by the Act.

The present Agency Personnel Evaluation Report system does not conform to all of the requirements outlined in the Performance Rating Act. When the Career

Civil Service Committee approved the present system, it was felt that the kind of rating system contemplated by the Performance Rating Act did not meet the Agency's current service program objectives. Although additional experience may point out the need for revision, the Agency's present evaluation procedures represent a system which was specifically developed in response to our requirements.

In going along on its own to set up an evaluation system which does not have Civil Service Commission approval, the CIA is in a somewhat vulnerable position.

Recommendation: That the General Counsel be asked to include in the Agency's legislative program a request that CIA be exempted from the Performance Rating Act of 1970. In order to have sufficient flexibility to establish evaluation programs which are responsive to Agency requirements, present and future, it is further recommended that no specific provisions regarding evaluation methods be written into law.